

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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Court Minutes

September 10, 2007

C052936 THE PEOPLE v. CLEMENS (Not for Publication)

The judgment is affirmed.

BUTZ, J.

We Concur: Blease, Acting P.J.
 Nicholson, J.

C053748 THE PEOPLE v. CLARK (Not for Publication)

The judgment is modified ... As amended, the judgment is affirmed. The trial court is directed to amend the abstract of judgment ... and is further directed to send a certified copy of the amended abstract to the Department of Corrections and Rehabilitation.

SCOTLAND, P.J.

We Concur: Nicholson, J.
 Cantil-Sakauye, J.

**C056009 R.N. v. THE SUPERIOR COURT (Not for Publication)
 OF SACRAMENTO COUNTY; DEPT. OF HEALTH
 AND HUMAN SERVICES et al.**

Let a peremptory writ of mandate issue ... The matter is remanded with directions to the juvenile court to order additional reunification services for the petitioner. Petitioner's request to stay is dismissed as moot.

SCOTLAND, P.J.

We Concur: Nicholson, J.
 Cantil-Sakauye, J.

C052642 THE PEOPLE v. BOSWELL

Appellant's petition for rehearing is denied.

BLEASE, ACTING P.J.

September 11, 2007

C044161 THE PEOPLE v. CENICEROS (Not for Publication)

The convictions are affirmed. The matter is remanded to the trial court ... The trial court is also directed to correct the minute order and abstract of judgment to reflect imposition of sentence ... The trial court shall forward a certified copy of the corrected abstract of judgment to the Department of Corrections and Rehabilitation.

RAYE, J.

We Concur: Blease, Acting P.J.
 Nicholson, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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Court Minutes

September 11, 2007 (continued)

- C053769 THE PEOPLE v. CONLEY (Not for Publication)**
The judgment is affirmed.
HULL, J.
We Concur: Sims, Acting P.J.
 Butz, J.
- C053933 THE PEOPLE v. RAGAN (Not for Publication)**
The judgment is affirmed.
HULL, J.
We Concur: Sims, Acting P.J.
 Butz, J.
- C054026 THE PEOPLE v. WEAVER (Not for Publication)**
The judgment is affirmed.
HULL, J.
We Concur: Sims, Acting P.J.
 Butz, J.
- C053329 YBARRA v. YBARRA (Not for Publication)**
The judgment (order) is affirmed.
HULL, J.
We Concur: Sims, Acting P.J.
 Butz, J.
- C053731 IN RE D.S. et al; SHASTA COUNTY (Not for Publication)**
DEPARTMENT OF SOCIAL SERVICES v.
T.L.S.
The order denying the petitions for modification is affirmed.
RAYE, ACTING P.J.
We Concur: Morrison, J.
 Butz, J.
- C055708 THE PEOPLE v. McFADDEN**
Appellant has been notified pursuant to rule 8.220(a)(1) of the California Rules of Court and has not filed the appellant's opening brief or requested the appointment of counsel. Therefore, the appeal filed on May 10, 2007, is dismissed.

SCOTLAND, P.J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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Court Minutes

September 12, 2007

C054178 THE PEOPLE v. HERNANDEZ (Not for Publication)
The judgment is affirmed.
HULL, ACTING P.J.
We Concur: Robie, J.
Butz, J.

September 13, 2007

MISC. ORDER 2007-018
BY THE COURT:

Associate Justice Rodney Davis is appointed to serve as Acting Presiding Justice to discharge the duties described in the California Rules of Court, rules 10.1004, 10.1012, and 10.1016, during the absence of the Presiding Justice from the court on September 25, 2007, September 26, 2007, and September 27, 2007, or until his return. (See Cal. Const., art. VI, §3.) The senior member of a panel of the court is designated the Acting Presiding Justice of that panel during the absence of the Presiding Justice.
SCOTLAND, P.J.

C044502 THE PEOPLE v. LEIGHTON (Not for Publication)
(Opinion on Remand from the U.S. Supreme Court)
Defendant's conviction is affirmed, but his sentence is vacated and the matter remanded to the trial court for resentencing in accordance with the procedure set forth in *Sandoval* ... Within 30 days after the filing of the remittitur, the trial court shall hold a new sentencing hearing.
BUTZ, J.
I Concur: Blease, Acting P.J.
I respectfully dissent ...
Davis, J.

C050323 THE PEOPLE v. MATTHEWS et al. (Not for Publication)
Defendant's convictions are affirmed.
BUTZ, J.
We Concur: Hull, Acting P.J.
Robie, J.

C050992 THE PEOPLE v. FOSS (Certified for Partial Publication)
The judgment is affirmed.
NICHOLSON, ACTING P.J.
We Concur: Butz, J.
Cantil-Sakauye, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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Court Minutes

September 13, 2007 (continued)

- C052214 THE PEOPLE v. PHILLIPS (Not for Publication)**
The judgment is affirmed.
NICHOLSON, ACTING P.J.
We Concur: Raye, J.
Robie, J.
- C053205 THE PEOPLE v. SHERIDAN (Not for Publication)**
The judgment is affirmed.
BLEASE, ACTING P.J.
We Concur: Raye, J.
Cantil-Sakauye, J.
- C053636 THE PEOPLE v. JOHNSON (Not for Publication)**
The judgment is affirmed.
BLEASE, ACTING P.J.
We Concur: Raye, J.
Morrison, J.
- C051124 AEROJET-GENERAL CORP. v. (Certified for Publication)**
COMMERCIAL UNION INS. CO. et al.
The judgment is affirmed. Costs on appeal are awarded to defendants.
NICHOLSON, J.
We Concur: Blease, Acting P.J.
Butz, J.
- C054259 IN RE JASMINE L; SACRAMENTO COUNTY DEPT. OF HEALTH AND**
HUMAN SERVICES v. LATASHA A.
BY THE COURT:
Appellant's petition for rehearing is denied.
SIMS, Acting P.J.

September 14, 2007

- C049069 THE PEOPLE v. CHUN (Certified for Publication)**
The judgment of conviction for second degree murder is reversed and the cause remanded for retrial on that count. In all other respects, the judgment is affirmed.
MORRISON, J.
I Concur: Blease, Acting P.J.
Concurring and Dissenting:
As to parts I and III of the majority opinion, I concur in the result. As to part II, reversing the second degree murder conviction, I respectfully dissent.
Nicholson, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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Court Minutes

September 14, 2007 (continued)

- C052762 THE PEOPLE v. LLOYDEN (Not for Publication)**
The judgment is affirmed.
SCOTLAND, P.J.
We Concur: Davis, J.
Cantil-Sakauye, J.
- C052806 THE PEOPLE v. BROWN (Not for Publication)**
The judgment is affirmed.
HULL, J.
We Concur: SIMS, Acting P.J.
Butz, J.
- C053570 THE PEOPLE v. MUNOZ (Certified for Publication)**
The judgment is affirmed.
CANTIL-SAKAUYE, J.
We Concur: Scotland, P.J.
Morrison, J.
- C053879 THE PEOPLE v. KELLNER (Not for Publication)**
The order for attorney fees is stricken. The judgment is affirmed in all other respects.
RAYE, ACTING P.J.
We Concur: Morrison, J.
Butz, J.
- C049337 YOUNG AMERICA CORP. v. (Not for Publication)**
THE SUPERIOR COURT OF SACRAMENTO COUNTY;
ROBERT LYNCH
Let a writ of mandate issue directing respondent superior court to vacate its order denying Young America's motion for judgment on the pleadings and enter a new and different order granting that motion and denying leave to amend. Young America is awarded costs. ...
CANTIL-SAKAUYE, J.
We Concur: Sims, Acting P.J.
Davis, J.
- C052996 KOVACEVICH v. KOVACEVICH (Not for Publication)**
The judgment is affirmed. Anna shall recover her costs of this appeal. ...
BUTZ, J.
We Concur: Raye, Acting P.J.
Robie, J.